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09/825,946	04/05/2001	Junji Noguchi	501.39932X00	5570

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EXAMINER

VU, HUNG K

ART UNIT PAPER NUMBER

2811

DATE MAILED: 08/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

CH

**Office Action Summary**

Application No.

09/825,946

Applicant(s)

NOGUCHI ET AL.

Examiner

Hung K. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 May 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23, 25-27, 29-35, 37, 38 and 42-45 is/are pending in the application.

4a) Of the above claim(s) 1-19 is/are withdrawn from consideration.

- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

- 6) ☒ Claim(s) 20-23, 25-27, 29-35, 37, 38 and 42-45 is/are rejected.

- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.

- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some \* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)

- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

- 5) ☐ Notice of Informal Patent Application (PTO-152)

- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Request for Continued Examination***

1 A request for continued examination (RCE) under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/16/03 has been entered. An action on the RCE follows.

### ***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Objections***

3. Claims 21-23, 25-27, 29-35, 37-38 and 42-45 are objected to because of the following informalities:

In claims 21-23, 25-27, 29-35, 37-38 and 42-45, line 1, "A method of fabricating a semiconductor" should be changed to "The method of fabricating the semiconductor" for clarity.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20, 25-27, 29-35, 37-38 and 42-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edelstein et al. (PN 6,181,012, of record) in view of Kaufman et al. (PN 6,593,239) and further in view of Lai et al. (PN 6,136,680, of record).

Edelstein et al. discloses, as shown in Figure 2 and 4D, a method of fabricating a semiconductor integrated circuit device comprising,

providing a semiconductor substrate (52) having a first main surface,

forming a first insulating film (54) over the first main surface of the semiconductor substrate,

forming an embedded interconnection slot in the first insulating film over the main surface,

forming a connecting hole in a bottom surface of the embedded interconnection slot connected to a lower conducting layer (46),

forming a conducting barrier film (72) over a surface region of the first insulating film outside the embedded interconnection slot and the connecting hole and the bottom surface and side surface of the embedded interconnection slot and the connecting hole,

forming a metal film having copper as its main component over the conducting barrier film so as to fill the embedded interconnection slot and the connecting hole,

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removing the metal film outside the embedded interconnection slot and the connecting hole by a chemical mechanical polishing method to form an embedded metal interconnection layer (56) having copper as its main component embedded in the interconnection slot and in the connecting hole in which the conducting barrier film is formed,

forming a cap insulating film (silicon nitride, 101) so as to cover the embedded metal interconnection layer and the upper surface of the first insulating film, wherein,

the concentration of components other than copper in the embedded metal interconnection layer in the finished semiconductor integrated circuit device does not exceed 0.8At% (0.001 wt% C which is less than 0.02At%), and

the film thickness of the thinnest part of the conducting barrier film in the side walls of the embedded interconnection slot and the connecting hole is about 10nm.

Edelstein et al. does not disclose the CMP method using a polishing slurry containing an oxidizing agent of copper and organic acid capable of dissolving an oxide of copper within a corrosion region of copper. However, Kaufman et al. discloses a CMP method using a polishing slurry containing an oxidizing agent of copper and organic acid capable of dissolving an oxide of copper within a corrosion region of copper. Note Col. 4, line 66 – Col. 5, line 52, Col. 8, lines 34 – 47. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to polish the semiconductor device of Edelstein et al. by using a polishing slurry containing an oxidizing agent of copper and organic acid capable of dissolving an oxide of copper within a corrosion region of copper, such as taught by Kaufman et al. in order to prevent the surface damage to the first insulating film and the metal film.

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Although Edelstein et al. and Kaufman et al. do not teach the thickness of the conducting barrier film, as that claimed by Applicants, however, it would have been obvious to one having ordinary skill in the art at the time the invention was made to form the conducting barrier film having a desired thickness, since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. In re Boesch, 617 F.2d 272, 205 USPQ 215 (CCPA 1980).

Edelstein et al. and Kaufman et al. disclose the metal film is planarized by chemical mechanical polishing. Edelstein et al. and Kaufman et al. do not disclose the first main surface of the semiconductor substrate is plasma treated in an atmosphere of a gas having reducing properties prior to forming a cap insulating film. However, Lai et al. discloses forming a metal film (30) is planarized by chemical mechanical polishing and a first main surface of the semiconductor substrate is plasma treated in an atmosphere of a gas having reducing properties prior to forming a cap insulating film (32). Note Figure 6 and Col. 7, line 15 – Col. 9, line 15. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to plasma treat the first main surface of the semiconductor substrate of Edelstein et al. and Kaufman et al. in an atmosphere of a gas having reducing properties prior to forming a cap insulating film, such as taught by Lai et al. in order to suppress hillocks formation.

With regard to claims 25-27, Edelstein et al., Kaufman et al. and Lai et al. disclose the gas atmosphere comprises hydrogen (ammonia) and/or nitride hydride as its principal component element.

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With regard to claims 29-31, 37-38 and 42, although Edelstein et al., Kaufman et al. and Lai et al. do not teach exact the mass ratio of abrasive particles, the film thickness of the thinnest part of the conducting barrier film, as that claimed by Applicants, however, it would have been obvious to one having ordinary skill in the art at the time the invention was made to form the circuit having the desired mass ratio and thickness, since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. In re Boesch, 617 F.2d 272, 205 USPQ 215 (CCPA 1980).

With regard to Claims 43-45, Edelstein et al., Kaufman et al. and Lai et al. disclose the width of the embedded interconnection slot does not exceed 0.4  $\mu\text{m}$  (less than 0.5  $\mu\text{m}$ ).

5. Claims 21 – 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edelstein et al. (PN 6,181,012, of record) in view of Kaufman et al. (PN 6,593,239), Lai et al. (PN 6,136,680, of record) and further in view of Maekawa (PN 6,171,957, of record).

Edelstein et al., Kaufman et al. and Lai et al. disclose the invention substantially as claimed, including the method of fabricating the semiconductor device, as recited in the rejection above.

Edelstein et al., Kaufman et al. and Lai et al. do not disclose the metal film is formed by sputtering using a target wherein the purity of copper is not less than 99.999%. However, Maekawa discloses forming a metal film (5) by sputtering using a target wherein the purity of copper is not less than 99.999%. Note Figures 1(a) – 2. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to form the metal film of Edelstein et al., Kaufman et al. and Lai et al. by sputtering using a target wherein the purity of

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copper is not less than 99.999%, such as taught by Maekawa in order to reduce the resistance of the metal film.

With regard to claims 21 and 23, Edelstein et al., Kaufman et al., Lai et al. and Maekawa disclose the copper having purity of 99.999 wt% or higher. Edelstein et al., Kaufman et al., Lai et al. and Maekawa do not disclose the copper having purity of 99.9999 wt%. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to form the circuit having the desired purity, since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. In re Boesch, 617 F.2d 272, 205 USPQ 215 (CCPA 1980).

### ***Response to Arguments***

6. Applicant's arguments with respect to claim 20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung K. Vu whose telephone number is (703) 308-4079. The examiner can normally be reached on Mon-Thurs 6:00-3:30, alternate Friday 7:00-3:30, Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on (703) 308-2772. The fax phone numbers for the



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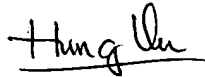
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organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Vu

August 3, 2003

A handwritten signature in black ink, appearing to read "Hung Vu", written over a horizontal line.